

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

FILED - CLERK  
U.S. DISTRICT COURT  
2002 APR 15 AM 10:56  
TX EASTERN - LUFKIN  
BY K. Riley

EDUARDO HERNANDEZ,  
MANUEL PADILLA, and  
JULIO COLEGIO,  
on behalf of themselves and all others  
similarly situated,

Plaintiffs

v.

EQUITABLE ACCEPTANCE  
CORPORATION, and  
and JACK CALI, III dba  
CALI ENTERPRISES, and  
ROYALWARE INDUSTRIES,

Defendants

CASE NO. 9:01CV161

JUDGE HANNAH

**DESIGNATION OF EXPERT WITNESSES BY  
EQUITABLE ACCEPTANCE CORPORATION**

COMES NOW, EQUITABLE ACCEPTANCE CORPORATION ("EAC"), Defendant  
herein, and designates its expert witnesses as follows:

- 1) Donald L. Turbyfill will testify regarding reasonableness and necessity of any attorney's fees claim to be recovered by any party to the litigation. The total amount of attorneys' fees sought to be recovered by EAC cannot be calculated at this time, but will be based upon the amount of time devoted to the defense and prosecution of claims and the hourly rate of the attorney or paralegal rendering services to EAC. All services rendered to EAC in this matter were

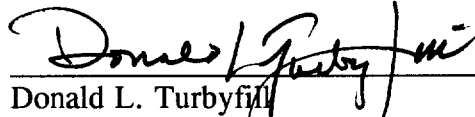
contemporaneously recorded at the time the service was rendered, and billed to EAC on a monthly basis. Mr. Turbyfill's opinions will be based upon a review of all pleadings, discovery, legal research relative to this case and his experience in prosecution and defense of claims in secured transactions and consumer finance, and all time records maintained by the attorneys in this case.

- 2) Cheryl R. Brown will testify regarding reasonableness and necessity of any attorney's fees claim to be recovered by any party to the litigation. The total amount of attorneys' fees sought to be recovered by EAC cannot be calculated at this time, but will be based upon the amount of time devoted to the defense and prosecution of claims and the hourly rate of the attorney or paralegal rendering services to EAC. All services rendered to EAC in this matter were contemporaneously recorded at the time the service was rendered, and billed to EAC on a monthly basis. Ms. Brown's opinions will be based upon a review of all pleadings, discovery, legal research relative to this case and her experience in prosecution and defense of claims in secured transactions and consumer finance, and all time records maintained by the attorneys in this case.

EAC reserves the right to supplement the designation herein prior to trial.

Respectfully submitted,

DEVLIN, NAYLOR & TURBYFILL, P.L.L.C.

A handwritten signature in black ink, appearing to read "Donald L. Turbyfill", is written over a horizontal line.

Donald L. Turbyfill

State Bar No. 20296380

CHERYL R. BROWN

State Bar No. 24004565

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ATTORNEYS FOR DEFENDANT

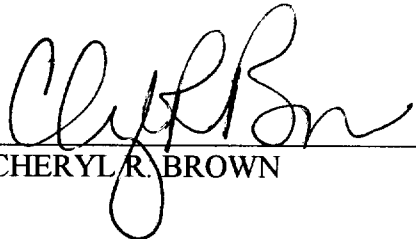
EQUITABLE ACCEPTANCE CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been forwarded to the following parties via certified mail, return receipt requested, on this the 12<sup>th</sup> day of April, 2002:

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CO-COUNSEL FOR PLAINTIFFS

  
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CHERYL R. BROWN